

Adequate Yearly Progress Accountability Procedures

for

Idaho Local Education Agencies & Schools

**Approved by the State Board of Education
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Adequate Yearly Progress Accountability Procedures

State Board of Education administrative rules and federal law establish sanctions or consequences for schools and local education agencies (LEAs) that do not make Adequate Yearly Progress (AYP). Part I of this document details the sanctions and procedures for schools and Part II details the sanctions and procedures for LEAs.

Part I: School Procedures

Sanctions begin when a school fails to make AYP for two consecutive years. The sanctions become progressively more severe over the following five years if the school continues to fail to make AYP.

Accountability Timeline for Schools Not Making Adequate Yearly Progress						
Years 1 & 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
School on alert	Technical Assistance	Technical Assistance	Technical Assistance	Technical Assistance	Technical Assistance	School starts over
	Choice	Choice	Choice	Choice	Choice	
		Supplemental Services	Supplemental Services	Supplemental Services	Supplemental Services	
	Intervention School Improvement Planning	Implement Intervention School Improvement Plan	Corrective Action Planning	Implement Corrective Action	Implement Restructuring Plan	
				Restructuring Planning		

A local education agency (LEA), also called a school district or LEA charter school, must follow specific procedures to implement these sanctions when one or more of its schools consistently fail to make Adequate Yearly Progress. Procedures for each sanction and state support are detailed in the following sections:

- Section I Technical Assistance
- Section II School Choice
- Section III School Improvement Plans
- Section IV Supplemental Services
- Section V Corrective Action
- Section VI Restructuring

Section I. Technical Assistance

Although technical assistance is listed with the consequences of not making Adequate Yearly Progress (AYP), it is not a sanction. Technical assistance is practical advice offered by an expert source that addresses specific areas of improvement.

Federal law places the primary responsibility for providing technical assistance to schools that fail to make AYP with the schools' local education agency (LEA). The federal law identifies the support states are to provide to LEAs and schools.

Below are requirements identified in federal law for the LEA and the state with regard to providing technical assistance. Each sanction or consequence also identifies specific technical assistance procedures for the LEA. Those are detailed with each sanction.

Local Education Agency (LEA)

The LEA is required to provide technical assistance to its schools that fail to make Adequately Yearly Progress and are identified for improvement. Although the LEA must ensure its schools receive technical assistance, federal law allows the LEA to use other agencies to provide the direct services. Other acceptable technical assistance providers include:

- The State Department of Education,
- An institution of higher education,
- A private, not-for-profit or for-profit organization,
- An educational service agency, or
- Another entity with experience in helping schools improve academic achievement.

State support

Federal law sets specific technical assistance responsibilities for the state. States are (1) to reserve and allocate Title I Part A funds for school improvement activities; and (2) to create and sustain a statewide system of support that provides technical assistance to schools identified for improvement.

Within this statewide support system, the state must make technical assistance available consistent with the following priorities:

- a. The first priority must be (i.) LEAs with schools in corrective action, and (ii.) schools for which an LEA has not carried out its statutory and regulatory responsibilities regarding corrective action or restructuring.
- b. The second priority must be LEAs with schools identified as in need of improvement.
- c. The third priority must be Title I LEAs and schools that need additional support and assistance.

The central focus of the statewide system of support and improvement is utilizing teams of skillful and experienced individuals and professionals to assist schools and LEAs. Federal law requires states to establish school support teams. Idaho is calling these groups school solution teams. The purpose of these teams is to work in schools throughout the state that are in school improvement status and corrective action status, or otherwise in need of support and assistance. Federal law also details the roles and responsibilities of these groups:

- a. A school solution team is a group of skillful and experienced individuals charged with providing struggling schools with practical, applicable, and helpful assistance in order to increase the opportunity for all students to meet the state's academic content and student academic achievement standards.
- b. Each solution team must be comprised of individuals who are knowledgeable about scientifically based research and practice and its potential for improving teaching and learning. In addition, solution team members should be familiar with a wide variety of school reform

initiatives, such as schoolwide programs, comprehensive school reform, and other means of improving educational opportunities for low-achieving students.

- c. Typically, solution teams will include some or all of the following: (i.) highly qualified or distinguished teachers and principals; (ii.) pupil services personnel; (iii.) parents; (iv.) representatives of institutions of higher education; (v.) representatives of educational laboratories or regional technical assistance centers; (vi.) representatives of outside consultant groups; or (vii.) other individuals that the state, in consultation with the LEA, may deem appropriate. An extensive knowledge base, wide-ranging experience, and credibility are essential qualifications for school solution team members.
- d. The school solution team's responsibility is to assist the school in strengthening its instructional program to improve student achievement. Specifically, the school solution team must:
 - i. Review and analyze all facets of the school's operation, including the design and operation of the instructional program, using the findings from this review to help the school develop recommendations for improved student performance.
 - ii. Collaborate with school staff, LEA staff, and parents to design, implement, and monitor a meaningful and realistic intervention school improvement plan that can be expected to help the school meet its improvement goals if implemented.
 - iii. Monitor the implementation of the intervention school improvement plan and request additional assistance from the LEA or the state as needed by the school or the solution team.
 - iv. Provide feedback at least twice a year to the LEA, and to the state when appropriate, about the effectiveness of the personnel assigned to the school.

- v. The overall charge of the school solution team is to help the school create and implement a coherent, efficient, and practical plan for improvement. Effective solution team members will possess the knowledge, skills, experience, and interpersonal skills that will enable them to address problems.

The state also must draw on the expertise of other entities to provide assistance as needed, such as institutions of higher education, educational service agencies or other local consortia, or private providers of scientifically based technical assistance. To the extent practicable, the statewide support system must work with and receive assistance from the comprehensive regional technical assistance centers and regional educational laboratories funded under ESEA, or other providers of technical assistance.

In addition the state must monitor the efforts of LEAs to assist their schools identified for improvement. Federal law directs states to:

- a. Make technical assistance available to schools identified for school improvement, corrective action, or restructuring;
- b. If the state determines that a LEA failed to carry out its responsibilities, take such corrective actions as the state determines to be appropriate and in compliance with state law;
- c. Ensure that academic assessment results under this part are provided to schools before any identification of a school may take place under this subsection; and
- d. For LEAs or schools identified for improvement under this subsection, notify the U.S. Secretary of Education of major factors that were brought to the attention of the state that have significantly affected student academic achievement.

Section II. School Choice

Below are the School Choice procedures that must be followed by a local education agency (LEA) when one or more of its schools fail to make Adequate Yearly Progress (AYP) for two or more years. Choice must be offered until the school meets AYP for two consecutive years or is restructured.

The LEA must:

- a. Create a choice policy or revise an existing choice or open enrollment policy (Idaho Code 33-1402) to include choice opportunities for students enrolled in schools identified for improvement. The policy should address:
 - i. Parental notification of choice option as soon as possible after identification and no later than by the start of the school year;
 - ii. Procedures for parents to sign up their child for transfer
 - iii. Transportation options;
 - iv. Criteria to be used for priority rankings if needed,
 - v. Schools available for transfer; and
 - vi. Agreements with other LEAs to accept transfer students.
- b. For each of its schools not making AYP for two or more years, advise parents of the school's improvement status and offer choice options as soon as possible after identification and no later than the first day of school. The notice should:
 - i. Inform parents that their child is eligible to attend another public school due to the identification of the current school as in need of improvement;
 - ii. Identify each public school, which may include charter schools, that the parent can select; and
 - iii. Include information on the academic achievement of the schools that the parent may select.
- c. Report to the State Department of Education the number of students using the choice option.

State support

The State Department of Education will provide technical assistance to the LEA upon request. Technical assistance may include providing sample letters to parents, sample policies, and other services.

Section III. Intervention School Improvement Plan

All Idaho local education agencies (LEAs) and their schools have a strategic plan or a continuous school improvement plan. This sanction refers to a different plan called an Intervention School Improvement Plan or ISIP. The ISIP is not a long-range plan; rather it is one designed to initiate immediate changes to address the specific reading and math problems identified through Adequate Yearly Progress (AYP) monitoring.

Procedures

Below are the procedures that must be followed by a LEA when one or more of its schools do not make AYP for two or more years and are required to create and implement a two-year ISIP.

The LEA must:

- a. Provide direct technical assistance or provide for other agencies to provide technical assistance to all its identified schools in creating a two-year school improvement plan. Technical assistance should include the following:
 - i. School improvement planning and implementation;
 - ii. Data analysis;
 - iii. Identification and implementation of effective; scientifically based instructional strategies;
 - iv. Professional development; and
 - v. Budget analysis.
- b. Ensure that each school identified for improvement completes within 90 days of its identification a two-year school improvement plan for LEA review. ISIPs must:

- i. Focus on reading and/or math deficiencies in participation or proficiency;
 - ii. Identify scientifically based teaching strategies;
 - iii. Outline professional development;
 - iv. Include parental involvement;
 - v. Identify technical assistance needs;
 - vi. Establish measurable goals; and
 - vii. Define implementation responsibilities for the school and the LEA.
- c. Create a process for peer review of ISIP.
- d. Give final approval within 45 days of receiving the ISIP.
- e. Work with the State Department of Education to identify a school solution team to assist schools identified for improvement and
- f. Ensure that the ISIP is implemented as soon as possible after approval and no later than the beginning of the following school year.

State support

The SDE will provide technical assistance to the LEA upon request. Technical assistance may include:

- a. Reviewing and analyzing all facets of the school's operation including the design and operation of the instructional program;
- b. Assisting with writing the ISIP;
- c. Reviewing the Mentoring Program;
- d. Identifying a School Solution Team;
- e. Offering regional workshops; and
- f. Providing feedback at least twice a year to the LEA.

Section IV. Supplemental Services

Students from low-income families who are attending schools that have been identified as needing improvement may be eligible to receive outside tutoring or academic assistance. Parents can choose the appropriate services for their child from a list of state-approved providers. The local education agency (LEA) will purchase the services with funds identified for this use.

Procedures

Below are the supplemental services procedures that must be followed by a LEA when one or more of its schools fail to make adequate yearly progress (AYP) for three or more consecutive years. Supplemental services must be offered until the school meets AYP for two consecutive years or is restructured.

The LEA must:

- a. Notify parents about the availability of services, at least annually. The notice must:
 - i. Identify each approved service provider within the LEA and LEA charter school, in its general geographic location or accessible through technology such as distance learning;
 - ii. Describe the services, qualifications and evidence of effectiveness for each provider;
 - iii. Describe the procedures and timelines that parents must follow in selecting a provider to serve their child;
 - iv. Be easily understandable; in a uniform format, including alternate formats, upon request; and, to the extent practicable, in a language the parents can understand; and
 - v. If the LEA anticipates that it will not have sufficient funds to serve all students eligible to receive services, include in the notice information on how it will set priorities in order to determine which eligible students do receive services.
- b. Help parents choose a provider, if requested;

- c. Determine which students should receive services if not all students can be served based on eligibility criteria;
- d. Protect the privacy of students who receive supplemental educational services;
- e. Enter into an agreement with a provider selected by parents of an eligible student. The agreement must include the following:
 - i. Specific achievement goals for the student, which must be developed in consultation with the student's parents;
 - ii. A description of how the student's progress will be measured and how the student's parents and teachers will be regularly informed of that progress;
 - iii. A timetable for improving the student's achievement
 - iv. A provision for termination of the agreement if the provider fails to meet student progress goals and timetables;
 - v. Provisions governing payment for the services, which may include provisions addressing missed sessions
 - vi. A provision prohibiting the provider from disclosing to the public the identity of any student eligible for or receiving supplemental educational services without the written permission of the student's parents; and
 - vii. An assurance that supplemental educational services will be provided consistent with applicable health, safety, and civil rights laws.
- f. Assist the state in identifying potential providers within the LEA and LEA charter school;
- g. Report to the State Department of Education the number of students using the supplemental services option; and
- h. Provide the information the state needs to monitor the quality and effectiveness of the services offered by providers.

State support

The state has a number of responsibilities in ensuring that eligible students receive additional academic assistance. The State Department of Education identifies providers, maintains a list of providers, and monitors services. The State Department of Education will:

- a. Consult with parents, teachers, LEAs and LEA charter schools, and interested members of the public to identify a large number of supplemental educational service providers so that parents have a wide variety of choices,
- b. Provide and disseminate broadly, through an annual notice to potential providers, the process for obtaining approval to be a provider of supplemental educational services,
- c. Develop and apply objective criteria for approving potential providers,
- d. Maintain an updated list of approved providers,
- e. Give school districts a list of available approved providers in their general geographic locations.

Section V. Corrective Action

This stage requires a local education agency (LEA) to ensure that each school identified for corrective action makes substantive change. This is a two-year process of planning and implementation. If the school continues to fail to meet Adequate Yearly Progress (AYP) in the second year of this process, the school also must begin planning to restructure.

Procedures

Below are the Corrective Action procedures that must be followed by the LEA when one or more of its schools fails to make AYP for four and five consecutive years.

The LEA must:

- a. Ensure that each school identified for corrective action continues to offer choice and supplemental services,
- b. Continue to provide technical assistance to schools identified for corrective action,
- c. Ensure schools identified for corrective action plan to take **one** of the following actions as soon as possible or by no later than the beginning of the following school year:
 - i. Provide, for all relevant staff, appropriate, scientifically research-based professional development that is likely to improve academic achievement of low-performing students;
 - ii. Institute a new curriculum grounded in scientifically based research and provide appropriate professional development to support its implementation;
 - iii. Extend the length of the school year or school day in a substantive amount to improve instruction and increase student learning;
 - iv. Replace the school staff who are deemed relevant to the school not making adequate yearly progress;
 - v. Significantly decrease management authority at the school;
 - vi. Restructure the internal organization of the school; or
 - vii. Appoint one or more outside experts to advise the school (1) how to revise and strengthen the improvement plan it created while in school improvement status and (2) how to address the specific issues underlying the school's continued inability to make AYP.
- d. In the fifth year of failing to make AYP, plan for restructuring if the school does not met AYP by the end of the year.
- e. In the fifth year of failing to make AYP, provide teachers and parents with notification, and an opportunity to comment on and participate in, the development of the school's restructuring plan.

State support

The State Department of Education will continue to provide technical assistance in addition to coordinating efforts with the School Solution Team and the LEA to continue implementation and monitoring of the identified corrective actions. The School Solution Team will work with the LEA, the school, and school community to develop a plan for corrective action.

Section VI. Restructuring

This is the last of the sanctions identified for a school and results in a change in governance and operation of the school. Restructuring is a two-year process directed by the local education agency (LEA). When complete, the restructured school no longer is required to offer choice or supplemental services and is considered in its first year of Adequate Yearly Progress (AYP) monitoring.

Procedure

Below are the restructuring procedures that must be followed prior to the beginning of the school year by a LEA when one or more of its schools does not make AYP for four and five years.

- a. Continue to plan for restructuring if the school does not meet AYP by the end of the year;
- b. Continue to provide teachers and parents with notification, opportunity to comment, and participation in the development of the school's restructuring plan;
- c. Prepare a restructuring plan to implement at least one of the following actions:
 - i. Replace all or most of the school staff;
 - ii. Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to aid in the operation of the school as a public school;
 - iii. Turn the operation of the school over to the state education agency;

- iv. Re-open the school as a public charter school, or
- v. Implement any other major restructuring of the school's governance that is consistent with the principles of restructuring.

- d. Begin implementing the restructuring plan no later than the first day of the school year.

State support

The State Department of Education will continue to provide technical assistance in addition to coordinating efforts with the LEA and School Solution Team to implement the restructuring plan.

Part II: Local Education Agency Procedures

State Board of Education rules and federal law establish sanctions or consequences for local education agencies (LEAs) that do not make Adequate Yearly Progress (AYP). Sanctions begin when a LEA fails to make AYP for two consecutive years. The sanctions become progressively more severe over the following five years if the LEA continues to fail to make AYP.

Accountability Timeline for an LEA Not Making Adequate Yearly Progress					
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
LEA on alert	LEA on alert	Technical Assistance from State	Technical Assistance	Technical Assistance	Technical Assistance
		LEA Improvement Planning	Implement LEA Improvement Plan	LEA Corrective Action Planning	Implement LEA Corrective Action Plan

A local education agency (LEA), also called a school district or LEA charter school, must follow specific procedures to implement these sanctions when the LEA has failed to make Adequate Yearly Progress (AYP) for two or

more consecutive years. Procedures for each sanction and state support are detailed in the following sections:

- Section I – Technical Assistance
- Section II – Intervention LEA Improvement Plan
- Section III – LEA Corrective Action Plan

Section I. Technical Assistance

Although technical assistance is listed with the consequences/sanctions of not making Adequate Yearly Progress (AYP), it is not a sanction. Technical assistance is practical advice offered by an expert source that addresses specific areas of improvement. Federal law says that when requested by the LEA, the state shall provide technical or other assistance. The technical assistance must apply effective methods and instructional strategies grounded in scientifically based research. The purposes of state technical assistance are to help the LEA:

- a. Develop and implement its required plan;
- b. Work more effectively with its schools identified for improvement; and
- c. Address problems the LEA may have with implementing parental involvement measures and providing high-quality professional development.

Section II. Local Education Agency Improvement Plans

All Idaho local education agencies (LEA) have a strategic plan for their programs and schools. This sanction refers to a different plan called an Intervention Local Education Agency Improvement Plan (ILIP.) This plan is not a long range plan rather one designed to initiate immediate changes to address the specific problems identified through AYP monitoring.

Procedures

Below are the procedures that must be followed by the LEA when it does not make AYP for two or more years.

The LEA must:

- a. Develop or revise an improvement plan, no later than three months after the identification. In developing or revising this plan, the LEA must consult with parents, school staff, and others. The plan must:
 - i. Address the fundamental teaching and learning needs of schools in the LEA, especially the academic problems of low-achieving students;
 - ii. Define specific measurable achievement goals and targets for each of the student subgroups whose disaggregated results are included in the state's definition of AYP;
 - iii. Incorporate strategies grounded in scientifically based research that will strengthen instruction in core academic subjects;
 - iv. Include, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year;
 - v. Provide for high-quality professional development for instructional staff that focuses primarily on improved instruction;
 - vi. Include strategies to promote effective parental involvement in the schools served by the LEA; and
 - vii. Include a determination of why the LEA's previous efforts did not bring about increased academic achievement.
- b. Implement its improvement plan, whether new or revised, expeditiously, but no later than the beginning of the school year immediately following the year in which the assessments were administered that resulted in the LEA's identification for improvement by the state.

State support

When a LEA is identified for improvement, federal law also requires the state to take specific actions. The state must:

- a. Promptly notify the parents of each student enrolled in the schools served by that LEA. In the notification, the state must explain the reasons for the identification and how parents can participate in improving the LEA.
- b. Promptly notify parents of its action in clear and non-technical language, providing information in a uniform format, and in alternative formats upon request. When practicable, states must convey this information to limited English proficient parents in written translations that they can understand. If that is not practicable, the information must be provided in oral translations for these parents.
- c. Must broadly disseminate its findings, using means such as the Internet, the news media, and public agencies.

Section III. Corrective Action

Corrective action is the collective name given to steps taken by the state that substantially and directly respond to serious instructional, managerial, and organizational problems in the LEA that jeopardize the likelihood that students will achieve proficiency in the core academic subjects of reading and mathematics.

A state may choose to delay LEA identification for corrective action if the LEA makes Adequate Yearly Progress for one year. Otherwise, only extreme circumstances justify a delay, such as a natural disaster, precipitous and unforeseen decline in the financial resources of the LEA, or other exceptional or uncontrollable circumstances. In any case, if the state chooses to delay identification, it may do so for only one year and in subsequent years must apply appropriate sanctions as if the delay never occurred.

Procedures

Federal law requires states to take specific steps when a LEA does not make AYP for three or more years.

The state must:

- a. Continue to ensure that the LEA is provided with technical assistance;
- b. Provide the LEA with a public hearing no later than 45 days after the state decision;
- c. Take at least one of the following corrective actions, as consistent with state law:
 - i. Defer programmatic funds or reduce administrative funds;
 - ii. Institute and fully implement a new curriculum based on state and local content and academic achievement standards that includes appropriate, scientifically research-based professional development for all relevant staff;
 - iii. Replace LEA personnel who are relevant to the inability of the LEA to make adequate progress;
 - iv. Remove individual schools from the jurisdiction of the LEA and arrange for their public governance and supervision;
 - v. Appoint a receiver or trustee to administer the affairs of the LEA in place of the superintendent and school board; and/or
 - vi. Abolish or restructure the LEA.

In conjunction with at least one of the actions on this list, the state may also authorize parents to transfer their child from a school operated by the LEA to a higher-performing public school operated by another LEA that is not identified for improvement or corrective action. If it offers this option, the state must also provide transportation or provide for the cost of transportation to the other school in another LEA.